

NOTE: This order is nonprecedential.

**United States Court of Appeals
for the Federal Circuit**

SUPREMA, INC. AND MENTALIX INCORPORATED,
Appellants,

v.

INTERNATIONAL TRADE COMMISSION,
Appellee,

AND

CROSS MATCH TECHNOLOGIES, INC.,
Intervenor.

2012-1170

Appeal from the United States International Trade
Commission in Investigation No. 337-TA-720.

ON PETITION FOR REHEARING EN BANC

Before RADER, *Chief Judge*, NEWMAN, LOURIE, DYK,
PROST, O'MALLEY, REYNA, WALLACH, TARANTO, CHEN, and
HUGHES, *Circuit Judges*.*

* *Circuit Judge* MOORE did not participate.

O R D E R

Petitions for panel rehearing and rehearing en banc were filed by the International Trade Commission and by Cross Match Technologies, Inc. A combined response thereto was invited by the court and filed by Mentalix Incorporated and Suprema, Inc.

The petitions for rehearing were considered by the panel that heard the appeal, and thereafter the petitions for rehearing en banc and the response were referred to the circuit judges who are authorized to request a poll to rehear the appeal en banc. A poll was requested and taken. The court has decided that the appeal warrants en banc consideration.

Accordingly,

IT IS ORDERED THAT:

- (1) The petitions for panel rehearing are denied.
- (2) The petitions for rehearing en banc are granted.
- (3) The court's opinion and judgment of December 13, 2013 are vacated and the appeal is reinstated.
- (4) An en banc briefing schedule will be issued at a later date.

FOR THE COURT

/s/ Daniel E. O'Toole
Daniel E. O'Toole
Clerk of Court